

MAY 15 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

PATRICIA A. MCCOLM,

Plaintiff - Appellant,

v.

RESTORATION GROUP INC., a
California Corporation; et al.,

Defendants - Appellees.

No. 07-16826

D.C. No. CV-06-02707-MCE

MEMORANDUM *

Appeal from the United States District Court
for the Eastern District of California
Morrison C. England, District Judge, Presiding

Submitted May 12, 2008 **

Before: KOZINSKI, Chief Judge, THOMAS and CALLAHAN, Circuit Judges.

A review of the record and the response to this court's February 21, 2008
order to show cause indicates that the questions raised in this appeal are so

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). It does not appear that the district court erred in dismissing the complaint without leave to amend. *See* Fed. R. Civ. P. 15(a); *Schreiber Distrib. Co. v. Serv-Well Furniture Co.*, 806 F.2d 1393, 1401 (9th Cir. 1986). Appellant's other arguments on appeal are unavailing.

Accordingly, we summarily affirm the district court's judgment.

All pending motions are denied as moot.

AFFIRMED.